

(a), the Secretary of Homeland Security shall—

(1) conduct the initial interview on the asylum application not later than 45 days after the date on which the application is filed; and

(2) in the absence of exceptional circumstances, issue a final administrative adjudication on the asylum application within 150 days after the date the application is filed.

(d) CLARIFICATION.—Notwithstanding any other provision of law, nothing in this act shall be interpreted to—

(1) preclude an individual described in subsection (a), from applying for or receiving any immigration benefits to which such individual is otherwise eligible; or

(2) entitle a person described in subsection (a) to lawful permanent resident status.

(e) REPORT.—Not later than 120 days after the date of enactment of this Act, and every 3 months thereafter, the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Secretary of State, shall submit a report to Congress detailing the number of individuals described in subsection (a); the number of individuals receiving benefits in subsection (b), including their eligibility for benefits as refugees notwithstanding this Act; and any other information deemed relevant by the Secretary.

REPORTING REQUIREMENT

SEC. 2503. (a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter through September 30, 2023, the Secretary of Homeland Security, in coordination with the head of any other applicable Federal agency, shall submit to Congress a report that includes the elements described in subsection (b).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A summary of the status of Afghan evacuees, including—

(A) the number of the Afghan evacuees present in the United States, located at overseas bases of the United States Armed Forces, or located in third countries who are not located at such a base including—

(i) the number who are U.S. lawful permanent residents;

(ii) the number who are Special Immigrant Visa holders;

(iii) the number who are Special Immigrant Visa applicants;

(iv) the number who are in possession of a valid nonimmigrant visa to enter the United States;

(v) the number who are employees of a U.S. Government agency;

(vi) the number who are employees of a U.S. funded partner organization, media, or non-profit;

(vii) the number of Priority 1 refugee referrals;

(viii) the number of Priority 2 refugee referrals;

(ix) the number who have been relocated from the United States to a third country, and the country to which they were relocated; and

(x) the number who do not fall into any of the above categories;

(B) the number of Afghan evacuees at overseas bases or other official staging areas who have been flagged as potential security concerns or risks or included on the United States no-fly list and who were therefore denied clearance to enter the United States; and

(C) the number of the Afghan evacuees who have been paroled into the United States—

(i) the number whose parole was terminated; and

(ii) the number whose parole has been extended.

(2) The number of Afghan evacuees who have been interviewed by U.S. Citizenship and Immigration Services in connection with an application or petition for immigration benefits, including—

(A) the number of such interviews conducted since the United States withdrawal;

(B) the rate at which individuals were granted or refused the benefits that formed the basis for such interviews;

(C) the number of individuals who did not appear at a scheduled interview; and

(D) a description of the procedures for screening for and detecting child marriage, human trafficking, gender-based violence, and marriages entered into or relationships as fiancée or fiancé claimed for the sole purpose of securing evacuation.

(3) For each Federal department and agency involved in Operation Allies Welcome—

(A) as of the date of the report, the costs incurred; and

(B) an identification of the source of appropriated or other funds used to fund the effort.

(c) DEFINITION OF AFGHAN EVACUEE.—In this section, the term “Afghan evacuee” means a person whose evacuation from Afghanistan to the United States, or a location overseas controlled by the United States, was facilitated by the United States as part of Operation Allies Refuge.

SEC. 2504. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 2505. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 2506. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2022.

SEC. 2507. Each amount provided by this division is designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) and section 4001(b) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022.

This division may be cited as the “Afghanistan Supplemental Appropriations Act, 2022”.

DIVISION D—OTHER MATTERS

TITLE I—EXTENSIONS, TECHNICAL CORRECTIONS, AND OTHER MATTERS

SEC. 3101. EXTENSION OF AUTHORITY TO MAKE CERTAIN APPOINTMENTS FOR NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812(c)(4)(B) of the Public Health Service Act (42 U.S.C. 300hh–11(c)(4)(B)) is amended by striking “September 30, 2021” and inserting “December 3, 2021”.

SEC. 3102. EXTENDING CERTAIN WAIVER AUTHORITIES.

(a) NATIONAL SCHOOL LUNCH PROGRAM REQUIREMENT WAIVERS ADDRESSING COVID-19.—Section 2202(e) of the Families First Coronavirus Response Act (Public Law 116–127; 42 U.S.C. 1760 note) is amended by striking “September 30, 2021” and inserting “June 30, 2022: *Provided*, That such waivers shall only apply to school year 2021–2022”.

(b) FUNDING.—There are hereby appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this section.

SEC. 3103. EXTENSION OF ADDITIONAL SPECIAL ASSESSMENT.

Section 3014(a) of title 18, United States Code, is amended by striking “September 30, 2021” and inserting “December 31, 2021”.

SEC. 3104. EXTENSION OF TEMPORARY ORDER FOR FENTANYL-RELATED SUBSTANCES.

Effective as if included in the enactment of the Temporary Reauthorization and Study of

the Emergency Scheduling of Fentanyl Analogues Act (Public Law 116–114), section 2 of such Act (as amended by Public Law 117–12) is amended by striking “October 22, 2021” and inserting “January 28, 2022”.

SEC. 3105. EXTENDING THE INCREASED FEDERAL MEDICAL ASSISTANCE PERCENTAGE FOR TERRITORIES.

(a) IN GENERAL.—Section 1905(ff) of the Social Security Act (42 U.S.C. 1396d(ff)) is amended—

(1) in paragraph (2), by striking “September 30, 2021” and inserting “December 3, 2021”; and

(2) in paragraph (3), by striking “September 30, 2021” and inserting “December 3, 2021”.

(b) GAO REVIEW.—Not later than November 15, 2021, the Comptroller General of the United States shall review the determination of the allotment for Puerto Rico for fiscal year 2022 under section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)), and include in the review the legal opinion of the Comptroller General on the most plausible plain reading of how such fiscal year 2022 allotment level should be calculated.

SEC. 3106. MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “\$165,000,000” and inserting “\$69,000,000”.

TITLE II—BUDGETARY EFFECTS

SEC. 3201. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act;

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

SA 3831. Mr. MARSHALL (for himself and Mr. BRAUN) submitted an amendment intended to be proposed by him to the bill H.R. 5305, making continuing appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division D, insert the following:

SEC. —. PROHIBITION ON FUNDING FOR COVID-19 VACCINE MANDATES.

(a) IN GENERAL.—None of the funds appropriated or otherwise made available under this Act may be obligated or expended to implement or enforce a COVID–19 vaccine mandate, including the promulgation of any rule

or regulation with respect to such a mandate or the enforcement of such a rule or regulation.

(b) DEFINITIONS.—In this section:

(1) COVID-19 VACCINE MANDATE.—The term “COVID-19 vaccine mandate” means—

(A) any requirement that a person (other than a Federal employee or an individual performing work on or in connection with a contract with the Federal Government) receive a COVID-19 vaccine, including a requirement that such a person either receive such a vaccine or be subject to COVID-19 testing; or

(B) any requirement that an employer require an employee or independent contractor to receive a COVID-19 vaccine, including by requiring such employee or independent contractor to either receive such vaccine or be subject to COVID-19 testing.

(2) EMPLOYER.—The term “employer” means a person engaged in a business affecting commerce who has employees or independent contractors. Such term includes a State or political subdivision of a State but does not include the United States.

SA 3832. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill H.R. 5305, making continuing appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NO BUDGET, NO PAY

SEC. 4101. SHORT TITLE.

This division may be cited as the “No Budget, No Pay Act”.

SEC. 4102. DEFINITION.

In this division, the term “Member of Congress”—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

SEC. 4103. TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

SEC. 4104. NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section 4105.

(b) NO RETROACTIVE PAY.—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under section 4105, at any time after the end of that period.

SEC. 4105. DETERMINATIONS.

(a) SENATE.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section 4103 and whether Senators may not be paid under that section;

(B) determine the period of days following each October 1 that Senators may not be paid under section 4103; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Secretary of the Senate.

(b) HOUSE OF REPRESENTATIVES.—

(1) REQUEST FOR CERTIFICATIONS.—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under subparagraphs (A) and (B) of paragraph (2).

(2) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(A) on October 1 of each year, make a determination of whether Congress is in compliance with section 4103 and whether Members of the House of Representatives may not be paid under that section;

(B) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under section 4103; and

(C) provide timely certification of the determinations under subparagraphs (A) and (B) upon the request of the Chief Administrative Officer of the House of Representatives.

SEC. 4106. EFFECTIVE DATE.

This division shall take effect on September 29, 2023.

SA 3833. Mr. COTTON (for himself, Mr. PORTMAN, Mr. GRASSLEY, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 5305, making continuing appropriations for the fiscal year ending September 30, 2022, and for providing emergency assistance, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 80, strike line 6 and all that follows through page 83, line 4, and insert the following:

SEC. 2502. (a) IN GENERAL.—Notwithstanding any other provision of law, a citizen or national of Afghanistan (or a person with no nationality who last habitually resided in Afghanistan) shall be eligible for the benefits described in subsections (b) and (c) if—

(1) such individual completed security and law enforcement background checks to the satisfaction of the Secretary of Homeland Security and was subsequently—

(A) paroled into the United States between July 31, 2021, and September 30, 2022; or

(B) paroled into the United States after September 30, 2022, and—

(i) is the spouse or child (as defined in section 101(b) of the Immigration and Nationality Act (8 U.S.C. 1101(b))) of an individual described in subparagraph (A); or

(ii) is the parent or legal guardian of an individual described in subparagraph (A) who is determined to be an unaccompanied child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))); and

(2) such individual's parole has not been terminated by the Secretary of Homeland Security.

(b) BENEFITS.—An individual described in subsection (a) shall be eligible for—

(1) resettlement assistance, entitlement programs, and other benefits available to refugees admitted under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) until March 31, 2023; and

(2) services described in section 412(d)(2) of the Immigration and Nationality Act (8 U.S.C. 1522(d)(2)), subject to subparagraph (B) of such section, if such individual is an unaccompanied alien (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))).

(c) EXPEDITIOUS ADJUDICATION OF ASYLUM APPLICATIONS.—With respect to an application for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) filed by an individual described in subsection (a)—

(1) the initial interview on the asylum application shall occur not later than 15 days after the date on which such application is filed; and

(2) in the absence of exceptional circumstances, final administrative adjudication of the asylum application, not including administrative appeal, shall be completed not later than 150 days after the date on which such application is filed.

(d) CLARIFICATION.—Notwithstanding any other provision of law, nothing in this Act may be interpreted—

(1) to preclude an individual described in subsection (a) from applying for or receiving any immigration benefit to which such individual is otherwise entitled;

(2) to entitle a person described in subsection (a) to adjustment of status to lawful permanent resident; or

(3) preclude a person described in subsection (a) from applying for a driver's license or identification card for which such person is eligible under State law.

(e) REPORT.—Not later than 120 days after the date of the enactment of this Act, and every 3 months thereafter, the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Secretary of State, shall submit a report to Congress detailing—

(1) the number of individuals described in subsection (a);

(2) the number of individuals receiving benefits under subsection (b), including those who are eligible for benefits as refugees; and

(3) any other information that the Secretary considers relevant.

(f) EMERGENCY REQUIREMENT.—Each amount provided by this section is designated by Congress as being for an emergency requirement pursuant to subsections (a)(1) and (b) of section 4001 of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022.

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.